

110TH CONGRESS
1ST SESSION

S. 1796

To provide for the conveyance of the Presque Isle Light Station Fresnel
Lens to Presque Isle Township, Michigan.

IN THE SENATE OF THE UNITED STATES

JULY 17, 2007

Mr. LEVIN (for himself and Ms. STABENOW) introduced the following bill;
which was read twice and referred to the Committee on Commerce,
Science, and Transportation

A BILL

To provide for the conveyance of the Presque Isle Light
Station Fresnel Lens to Presque Isle Township, Michigan.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CONVEYANCE OF PRESQUE ISLE LIGHT STA-**
4 **TION FRESNEL LENS TO PRESQUE ISLE**
5 **TOWNSHIP, MICHIGAN.**

6 (a) CONVEYANCE OF LENS AUTHORIZED.—

7 (1) TRANSFER OF POSSESSION.—Notwith-
8 standing any other provision of law, the Com-
9 mandant of the Coast Guard may transfer to
10 Presque Isle Township, a township in Presque Isle

1 County in the State of Michigan (in this section re-
2 ferred to as the “Township”), possession of the His-
3 toric Fresnel Lens (in this section referred to as the
4 “Lens”) from the Presque Isle Light Station Light-
5 house, Michigan (in this section referred to as the
6 “Lighthouse”).

7 (2) CONDITION.—As a condition of the transfer
8 of possession authorized by paragraph (1), the
9 Township shall, not later than one year after the
10 date of transfer, install the Lens in the Lighthouse
11 for the purpose of operating the Lens and Light-
12 house as a Class I private aid to navigation pursu-
13 ant to section 85 of title 14, United States Code,
14 and the applicable regulations under that section.

15 (3) CONVEYANCE OF LENS.—Upon the certifi-
16 cation of the Commandant that the Township has
17 installed the Lens in the Lighthouse and is able to
18 operate the Lens and Lighthouse as a private aid to
19 navigation as required by paragraph (2), the Com-
20 mandant shall convey to the Township all right,
21 title, and interest of the United States in and to the
22 Lens.

23 (4) CESSATION OF UNITED STATES OPER-
24 ATIONS OF AIDS TO NAVIGATION AT LIGHTHOUSE.—
25 Upon the making of the certification described in

1 paragraph (3), all active Federal aids to navigation
2 located at the Lighthouse shall cease to be operated
3 and maintained by the United States.

4 (b) REVERSION.—

5 (1) REVERSION FOR FAILURE OF AID TO NAVI-
6 GATION.—If the Township does not comply with the
7 condition set forth in subsection (a)(2) within the
8 time specified in that subsection, the Township shall,
9 except as provided in paragraph (2), return the Lens
10 to the Commandant at no cost to the United States
11 and under such conditions as the Commandant may
12 require.

13 (2) EXCEPTION FOR HISTORICAL PRESERVA-
14 TION.—Notwithstanding the lack of compliance of
15 the Township as described in paragraph (1), the
16 Township may retain possession of the Lens for in-
17 stallation as an artifact in, at, or near the Light-
18 house upon the approval of the Commandant. The
19 Lens shall be retained by the Township under this
20 paragraph under such conditions for the preserva-
21 tion and conservation of the Lens as the Com-
22 mandant shall specify for purposes of this para-
23 graph. Installation of the Lens under this paragraph
24 shall occur, if at all, not later than two years after

1 the date of the transfer of the Lens to the Township
2 under subsection (a)(1).

3 (3) REVERSION FOR FAILURE OF HISTORICAL
4 PRESERVATION.—If retention of the Lens by the
5 Township is authorized under paragraph (2) and the
6 Township does not install the Lens in accordance
7 with that paragraph within the time specified in that
8 paragraph, the Township shall return the lens to the
9 Coast Guard at no cost to the United States and
10 under such conditions as the Commandant may re-
11 quire.

12 (c) CONVEYANCE OF ADDITIONAL PERSONAL PROP-
13 erty.—

14 (1) TRANSFER AND CONVEYANCE OF PERSONAL
15 PROPERTY.—Notwithstanding any other provision of
16 law, the Commandant may transfer to the Township
17 any additional personal property of the United
18 States related to the Lens that the Commandant
19 considers appropriate for conveyance under this sec-
20 tion. If the Commandant conveys the Lens to the
21 Township under subsection (a)(3), the Commandant
22 may convey to the Township any personal property
23 previously transferred to the Township under this
24 subsection.

1 (2) REVERSION.—If the Lens is returned to the
2 Coast Guard pursuant to subsection (b), the Town-
3 ship shall return to the Coast Guard all personal
4 property transferred or conveyed to the Township
5 under this subsection except to the extent otherwise
6 approved by the Commandant.

7 (d) CONVEYANCE WITHOUT CONSIDERATION.—The
8 conveyance of the Lens and any personal property under
9 this section shall be without consideration.

10 (e) DELIVERY OF PROPERTY.—The Commandant
11 shall deliver property conveyed under this section—

12 (1) at the place where such property is located
13 on the date of the conveyance;

14 (2) in condition on the date of conveyance; and

15 (3) without cost to the United States.

16 (f) MAINTENANCE OF PROPERTY.—As a condition of
17 the conveyance of any property to the Township under this
18 section, the Commandant shall enter into an agreement
19 with the Township under which the Township agrees—

20 (1) to operate the Lens as a Class I private aid
21 to navigation under section 85 of title 14, United
22 States Code, and application regulations under that
23 section; and

1 (2) to hold the United States harmless for any
 2 claim arising with respect to personal property con-
 3 veyed under this section.

4 (g) LIMITATION ON FUTURE CONVEYANCE.—The in-
 5 struments providing for the conveyance of property under
 6 this section shall—

7 (1) require that any further conveyance of an
 8 interest in such property may not be made without
 9 the advance approval of the Commandant; and

10 (2) provide that, if the Commandant determines
 11 that an interest in such property was conveyed with-
 12 out such approval—

13 (A) all right, title, and interest in such
 14 property shall revert to the United States, and
 15 the United States shall have the right to imme-
 16 diate possession of such property; and

17 (B) the recipient of such property shall pay
 18 the United States for costs incurred by the
 19 United States in recovering such property.

20 (h) ADDITIONAL TERMS AND CONDITIONS.—The
 21 Commandant may require such additional terms and con-
 22 ditions in connection with the conveyances authorized by
 23 this section as the Commandant considers appropriate to
 24 protect the interests of the United States.

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